

Civil Division – New Castle County

November 18, 2005

The Honorable Gregory M. Sleet  
United States District Court  
844 King Street  
Wilmington, DE 19801

**Re: Lewis v. Foster, C.A. No. 04-1350 – GMS**

Dear Judge Sleet:

On August 5, 2005, defendant DPC moved to dismiss all claims against it contained in the complaint Docket No. 21. By response filed November 10, 2005, plaintiff agreed. See ¶3 of Answer to Defendant's Motions, Docket No. 37. Therefore, defendant DPC waives its right to file a reply brief and asks that the claims against DPC be dismissed. A form of order is enclosed.

I thank you for your consideration.

Respectfully yours,

/s/ A. Ann Woolfolk  
A. Ann Woolfolk  
Deputy Attorney General

AAW/sam

Enclosure

Cc: Cynthia G. Beam, Esq.  
Jimmie Lewis  
Clerk